IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 29TH NOVEMBER 2006 / 8TH AGRAHAYANA 1928

WP(C).No. 29442 of 2006(E)

PETITIONER:

AJAYAKUMAR.V., VAZHAVANNOR PADINJATTATHIL, KADAVOOR, PERINAD P.O., KOLLAM.

BY ADV. SRI.K.SUBASH CHANDRA BOSE

RESPONDENTS:
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1. THRIKKADAVOOR GRAMA PANCHAYAT, THRIKKADAVOOR, KOLLAM, REP. BY ITS SECRETARY.

2. THE SECRETARY, THRIKKADAVOOR GRAMA PANCHAYAT, THRIKKADAVOOR, KOLLAM.

3. C.N.W. NEWS, REG.NO.Q.612/99, NEAR CIVIL STATION, KOLLAM, REPRESENTED BY ITS SECRETARY-S.RAJKUMAR.

4. S.SUDARSANA DAS, KADAVOOR CABLES, EDWIN CENTRE, MATHILIL P.O., PERINAD, KOLLAM.

5. S.CHANDRABABU, THRIKKARUVA CABLE VISION, KANJAVELI P.O., KOLLAM.

6. AJAYAKUMAR.B., SKY VIEW CABLES, APPU SMRUTHI BUILDINGS, NEERAVIL, PERINAD P.O., KOLLAM.

7. P.SHANMUGHADAS, ARADHANA CABLE NETWORK, PRAKKULAM, KANJAVELI P.O., KOLLAM.

BY ADV.SRI.O.V.MANIPRASAD FOR R1 AND R2
SRI.C.ARUN FOR R4
SRI.S.VINODKUMAR FOR R5
SMT.BABY JOSE FOR R6
SRI.T.PRATHEESH FOR R7

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE,J.

W.P.(C) NO. 29442 OF 2006

Dated this the 29th day of November, 2006

J U D G M E N T

Sri.O.V.Maniprasad, counsel appearing for the first respondent Panchayat submitted that the Tribunal in Appeal No.362/06 has passed an order directing the Panchayat to ensure that placing of poles will not cause any hindrance to the ingress and egress to and from the properties abutting roads on the side of which poles are to be erected. Sri.Maniprasad submits that all the directions of the Tribunal in its order in Appeal No.362/06 will be very faithfully complied with.

2. Mr.Subash Chandra Bose, counsel for the petitioner and counsel for the 3rd respondent also submit that their parties are aggrieved by the order of the Tribunal and are yet to obtain a copy of the order of the Tribunal. Counsel for the seventh respondent submitted that the intention of the writ petitioner is to delay the drawing of line by the seventh respondent.

3. I notice that the order of the Tribunal is not under challenge in this case. Under these circumstances, I am of the view that it will suffice if the submissions of the counsel for the

Panchayat are recorded and the directions of the Tribunal are faithfully complied with.

4. Accordingly, the writ petition is disposed of recording the submission of the counsel for the Panchayat that the directions in Appeal No.362/06 will be strictly and faithfully complied with.

However, in view of the submissions of the petitioner and the third respondent that they intend to challenge the order of the Tribunal, interim order passed in this case will continue for a period of two more weeks from today.

PIUS C.KURIAKOSE, JUDGE

Rp